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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,298	01/20/2004	Ting-Sheng Li	PUSA040119	8253
23595	7590	06/28/2005	EXAMINER	
NIKOLAI & MERSEREAU, P.A. 900 SECOND AVENUE SOUTH SUITE 820 MINNEAPOLIS, MN 55402			CHOI, JACOB Y	
			ART UNIT	PAPER NUMBER
			2875	

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/764,298

Applicant(s)

LI, TING-SHENG

Examiner

Jacob Y. Choi

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu (USPN 6,698,910).

Regarding claim 1, Wu discloses the housing includes a shade body (4), a first support ring (1) mounted on a first portion of the shade body (4; upper/top portion), a second support ring (22) mounted on a second portion of the shade body (4; lower/bottom portion), a support frame (11) mounted in the first support ring (4), and a plurality of support rods (3) detachably mounted between the first support ring (1) and the second support ring (22), a lining (42) includes a lining body mounted in the shade body (Figures 4-5), a first ring (1A) mounted on a first portion of the lining body (42) and rested on the first support ring (1) of the housing (4), a second ring (21) mounted on a second portion of the lining body (Figures 4-5) and rested on the second support ring (22) of the housing (4), and a plurality of support bars (14) mounted on the first ring (1) and rested on the support frame (11) of the housing (Figure 5).

Note: claims in a pending application should be given their broadest reasonable interpretation. *In re Pearson*, 181 USPQ 641 (CCPA 1974).

Regarding claim 2, Wu discloses each of the first support ring and the second support ring is provided with a plurality of locking flanges (Figure 5-A & 2-A), and each of the support rods (3) has two ends each detachably mounted on a respective one of the locking flanges.

Regarding claim 3, Wu discloses each of the locking flanges is formed with a locking groove (Figure 5-A), and each of the two ends of each of the support rods is detachably locked in the locking groove of a respective one of the locking flanges.

Regarding claim 4, Wu discloses the locking flanges of the first support ring and the locking flanges of the second support ring are directed toward different directions.

Regarding claim 5, Wu discloses the support frame of the housing is radially extended.

Regarding claim 6, Wu discloses the lining body is made of a soft cloth.

Regarding claim 7, Wu discloses the support bars of the lining are arranged in a radially manner.

Regarding claim 8, Wu discloses the support bars of the lining are radially extended inward from the first ring.

Regarding claim 9, Wu discloses a plurality of fixing members (13) mounted between the housing and the lining to combine the housing and the lining together.

Regarding claim 10, Wu discloses each of the fixing members (13) is mounted on the support frame of the housing, and each of the support bars of the lining is detachably inserted into a respective one of the fixing members and urged on the support frame of the housing, so that the first support ring of the housing and the first ring of the lining are combined together, and the housing and the lining are combined together (column 2, lines 50-60; Figures 4-5).

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lee (USPN 6,869,207) – foldable lamp shade

Wu (US 2002/0085383) – disassembly type lamp shade structure

Lu (US 2003/0142498) – structure of a foldable lampshade

Sun (US 2004/0109320) – structure of foldable lampshade

Chou (US 2004/0001342) – collapsible lamp shade structure

Wu (US 2002/0109997) – structure for separable lamp cover

Lu (US 2003/0198053) – collapsible lamp shade structure

Borowitz (USPN 4,275,434) – collapsible lampshade and releasable attachment


means

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Y. Choi whose telephone number is (571) 272-2367. The examiner can normally be reached on Monday-Friday (10:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JC



**JOHN ANTHONY WARE**  
**PRIMARY EXAMINER**